

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

WILLIAM LOUIS COLE, JR.,

Defendant.

Criminal No. *1:11mj 789*

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Avery E. Butzer, being duly sworn, depose and state as follows:

1. I have been a sworn Police Officer with the Fairfax County Police Department for over four years. During this time, I have served as a patrol officer at the McLean District Station and as an Intra-bureau Transfer Detective with the Criminal Investigative Bureau. I have received accreditation from the State of Virginia after having graduated from the Fairfax County Criminal Justice Academy, and have since received training in investigations, interview and interrogation, and writing search warrants.

2. This affidavit is made in support of a criminal complaint charging that WILLIAM LOUIS COLE, JR., by force, violence and intimidation, did take from the person and presence of another, U.S. currency in the amount of approximately \$9,864.01, belonging to and in the care, custody, control, management, and possession of the BB&T Bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and did assault and put in jeopardy the life of another person, by the use of a dangerous weapon, namely a firearm, in violation of

Title 18, United States Code, Section 2113(a) and (d).

3. The facts and information contained in this affidavit are based upon my personal knowledge, as well as information obtained from federal and state law enforcement officers involved in this investigation. This affidavit contains information necessary to support probable cause and is not intended to include each and every fact and matter observed by me or known to the government.

4. On June 27, 2011, at 2:03 p.m., two men ("Subject #1" and "Subject #2") entered the BB&T Bank located at 8416 Arlington Boulevard, Fairfax, Virginia, within the Eastern District of Virginia. Subject #1 entered first followed by Subject #2, later identified as WILLIAM LOUIS COLE, JR., who entered brandishing a handgun. Both men (more fully described below) wore white dust-type (or painter style) masks hiding the bottom portion of their face. COLE pointed a handgun at the bank employees and ordered them to come into the lobby, to lie on the floor, and to not hit the alarm. Meanwhile, Subject #1 approached the middle teller and stated that he needed to make a withdrawal. Subject #1 then vaulted the teller's counter, pushed the teller in the chest, opened the teller drawer, and grabbed cash from the drawer. Subject #1 then went to the teller at the drive thru window and demanded additional money. Once Subject #1 obtained the cash, he vaulted back over the counter and exited the front door of the bank with COLE. The BB&T Bank sustained a loss of \$9,864.01 in U.S. currency as a result of the robbery. The robbery and the robbers were captured on surveillance video.

5. Witnesses indicated that Subject #1 wore a long-sleeved light-colored shirt, jeans, a black baseball hat, a white dust or painter style mask, off-white plastic gloves, and sunglasses, and carried a blue bag over his shoulder. Witnesses described Subject #1 as being in his twenties, with shoulder-length black dreadlocks, approximately 5'11" tall and weighing

approximately 180 pounds. Witnesses indicated that Subject #2, later identified as COLE, wore a maroon-colored hoodie (with the hood up over his head), a black baseball hat, jeans, gray sneakers, black gloves, a white dust or painter style mask, and sunglasses. Witnesses described Subject #2 as having a "stockier" build and being "older" as compared to Subject #1. COLE fits the description of Subject #2. He is thirty-nine years old and listed on his Maryland driver's license as being 5'10" tall, 210 pounds. COLE does not have dreadlocks.

6. An employee inside the bank observed the robbers leave the bank parking lot in a 1998 Plymouth Voyager, with a Virginia license plates, heading towards Arlington Boulevard. The bank employee provided the license plate number to police. Within minutes, this Plymouth Voyager was found unoccupied in a neighborhood in close proximity to the bank by Fairfax County police officers. At the time it was found, the engine was still running and the ignition switch had been punched. The vehicle was impounded as evidence. Although a search of the immediate area was conducted, police officers were unable to locate the robbers. Fairfax County police officers learned that the owner of the Plymouth Voyager had reported it stolen to the Washington Metropolitan Police Department. According to the owner, the Plymouth Voyager had been stolen that morning from the vicinity of 1<sup>st</sup> Street NW and N Street in Washington, D.C.

7. While at the crime scene, a citizen (hereinafter Witness #1) provided police with the description of a vehicle that he believed was related to the robbery which had just occurred at the BB&T Bank. Witness #1 is employed at an office building near the bank. While looking out of his office window at approximately 1:00 p.m., Witness #1 noticed a blue four-door BMW model 740-IL, bearing Maryland license plates, parked in a parking lot near the bank. Witness #1 stated that the BMW was parked facing the bank. Witness #1 had observed the license plate

number and was able to provide it to police. Witness #1 stated that the vehicle caught his attention because it was parked in Witness #1's parking space. Witness #1 indicated that there were two individuals, described as black males, just sitting in the vehicle during the morning hours preceding the robbery. Once the robbery had occurred, the vehicle was no longer parked in the parking lot.

8. The BMW vehicle registration returned to an individual who is related to COLE and resides in Landover Hills, Maryland. Law enforcement recognized the individual's name and also that she was a relative of COLE. Law enforcement was familiar with COLE because he was a suspect in a previous robbery attempt of a check cashing establishment which occurred on or about December 23, 2010, in Prince George's County, Maryland. Witnesses to that robbery had reported that a BMW was involved in the attempted robbery.

9. On June 27, 2011, later in the day of the BB&T Bank robbery, law enforcement responded to the address of the BMW's registered owner, COLE's relative. They began conducting surveillance of the residence. At approximately 5:40 p.m., the 1998 blue four-door BMW 740-IL arrived. COLE exited the vehicle and entered the residence. COLE was wearing a white shirt, blue jeans and gray New Balance sneakers. Eventually, COLE exited the residence and drove away in the BMW 740-IL.

10. Police officers followed the vehicle and initiated a traffic stop on Annapolis Road near Ardwick-Ardmore Road, in Prince George's County, Maryland at approximately 6:40 p.m. The driver was identified and confirmed to be COLE. He was the sole occupant of the vehicle. In plain view, police officers observed COLE wearing gray New Balance sneakers, which are consistent with the shoes worn by Subject #2, as seen in the bank surveillance video. Also in plain view, police officers observed a pair of off-white plastic gloves in the center console,

which are consistent with the gloves worn by Subject #1 during the robbery and as seen in the bank surveillance video. Police officers detained COLE, transported him to a Prince George's County police station and secured the BMW. COLE was found to have over \$800 in cash on his person.

11. A Fairfax County detective responded to the Prince George's County police station intending to interview COLE. COLE declined the interview but stated that he had not been in Fairfax County that day. Incidentally, COLE's Maryland driver's license lists his address as being in Fort Washington, Maryland, which is approximately 22.47 miles away from the BB&T Bank (8416 Arlington Boulevard, Fairfax, Virginia). In addition, the address where COLE was seen entering and exiting on June 27, 2011 (his relative's home in Landover Hills, Maryland) is 33.14 miles from the same BB&T Bank. Yet, the BMW COLE was seen operating the day of the robbery was observed near the bank.

12. During the previous investigation of the December 23, 2010, attempted robbery of the check cashing establishment, law enforcement had interviewed COLE's relative in whose name the BMW is registered. At that time, the relative indicated that the vehicle is in her name but COLE drives the BMW. With respect to the June 27, 2011, robbery of the BB&T Bank, law enforcement re-interviewed the relative. Again, the relative reported to law enforcement that COLE operates the BMW. The relative also indicated that COLE arrived earlier that morning at her home and that he was driving the BMW at that time. The relative also stated that COLE departed her residence soon thereafter still driving the BMW. The relative also provided law enforcement with COLE's cell phone number.

13. Fairfax County issued warrants for COLE's arrest and he was subsequently transferred to Fairfax County Adult Detention Center.

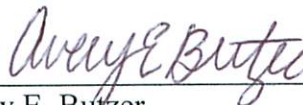
14. On June 28, 2011, a search warrant was executed on the BMW that COLE was driving in Prince George's County at the time he was taken into custody. Detectives recovered two cell phones and the off-white gloves, which resembled the gloves worn by Subject #1. Detectives also recovered a pair of black gloves from the trunk. As stated, Subject #2 was wearing black gloves during the robbery. One of the cell phones recovered was a Sprint HTC cell phone. On June 30, 2011, a search warrant was executed on the Sprint HTC cell phone. Law enforcement determined the phone number for the Sprint HTC. It was the same phone number that COLE's relative gave to law enforcement as COLE's cell phone number.

15. A forensic examination of the Sprint HTC was also conducted. The examination reflected several text messages between COLE's phone and another phone prior to the robbery. In particular, on the night before the BB&T Bank robbery, COLE received a text: "Wats [sic] that robbery site?" To which, COLE responded: "U [sic] have to go under commercial armed robberies in whatever county u looking for." Then, on the morning of the robbery, COLE received texts from the same number, stating "I'm up . . . putting my shit on" and "U coming to get me or U want me to have shorty drop me off?" (Based on my experience, I know that "shorty" is a slang term used to refer to a female.) Soon thereafter, COLE received a text from the same number, stating "She's gon com get me!"

16. Additionally, during the investigation, law enforcement learned that one of COLE's close female acquaintances lives in very close proximity to where the get-away vehicle, the 1998 Plymouth Voyager, had been stolen. While in custody at the Fairfax County Detention Center, COLE was in frequent contact with this female acquaintance. When law enforcement obtained the subscriber information for her phone, the address associated with the phone is in northwest Washington, D.C. very close to where the Plymouth Voyager was stolen.

17. At all times referenced in this affidavit, the BB&T Bank was insured by the Federal Deposit Insurance Corporation.

18. Based on the foregoing, I believe probable cause exists to conclude that WILLIAM LOUIS COLE, JR., by force, violence and intimidation, did take from the person and presence of another, U.S. currency in the amount of approximately \$9,864.01, belonging to and in the care, custody, control, management, and possession of the BB&T Bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and did assault and put in jeopardy the life of another person, by the use of a dangerous weapon, namely a firearm, in violation of Title 18, United States Code, Section 2113(a) and (d).



Avery E. Butzer  
Police Officer  
Fairfax County Police Department

Sworn to and subscribed before me this 23<sup>rd</sup> day of September, 2011.

/s/Thomas Rawles Jones, Jr.

The Honorable T. Rawles Jones  
United States Magistrate Judge